

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

HS 45 JOHN LLC,

Case No. 15-10368 (SHL)

Debtor.

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**ORDER (A) CONDITIONALLY APPROVING THE
REVISED DISCLOSURE STATEMENT; (B) SCHEDULING AN EXPEDITED
COMBINED HEARING TO CONSIDER FINAL APPROVAL OF THE
REVISED DISCLOSURE STATEMENT AND CONFIRMATION OF
DEBTOR'S PLAN OF REORGANIZATION; AND
(C) APPROVING NOTICE PROCEDURES RELATING THERETO**

Upon the application of HS 45 John LLC seeking, *inter alia*, conditional approval of the revised disclosure statement filed November 11, 2015 (ECF #160) (the "Revised Disclosure Statement") and scheduling an expedited combined hearing pursuant Section 105(d)(2)(B)(vi) of title 11 of the United States Code (the "Combined Hearing") to consider final approval of the Revised Disclosure Statement and confirmation of the Debtor's Chapter 11 Plan of Reorganization dated November 10, 2015 (ECF # 158) (the "Plan"); and it appearing that a combined hearing is in the best interests of the Debtor, its estate and creditors; and after due deliberation and good and sufficient cause appearing therefor, it is hereby:

ORDERED, that the Revised Disclosure Statement is conditionally approved as containing adequate information pursuant to Section 1125 of the Bankruptcy Code; and it is further

ORDERED, that the Combined Hearing to consider final approval of the adequacy of the Revised Disclosure Statement and confirmation of the Plan shall be held before the Hon. Sean H. Lane at the United States Bankruptcy Court for the Southern District of New York, One Bowling

Green, Courtroom 701, New York, New York 10004 on December 9, 2015 at 10:30 a.m.; and it is further

ORDERED, that pursuant to Bankruptcy Rules 2002 and 3017, objections, if any, to final approval of the adequacy of the Revised Disclosure Statement and/or confirmation of the Plan shall be filed with the Clerk of the Bankruptcy Court through the Bankruptcy Court's electronic case filing system ("ECF"), with a courtesy copy delivered to Judge Lane, and served on (i) counsel to the Debtor, Goldberg Weprin Finkel Goldstein LLP, 1501 Broadway, 22nd Floor, New York, NY 10036, Attn: Kevin J. Nash, Esq. and (ii) the United States Trustee: Office of the U.S. Trustee, 201 Varick Street, Suite 1006, New York, NY 10014, Attn: Paul Schwartzberg, Esq., on or before 5:00 p.m., prevailing Eastern time, December 4, 2015 (the "Objection Deadline"); and it is further

ORDERED, that all objections to the Plan, or the Revised Disclosure Statement shall be in writing and shall state with particularity the legal and factual basis for such objection, and in the case of an objection to the final approval of the adequacy of the Revised Disclosure Statement; and it is further

ORDERED, that unless a written objection is timely served and filed prior to the Objection Deadline in accordance with this Order, it will not be considered by this Court; and it is further

ORDERED, that the Debtor's Reply to any Objections received by the Objection Deadline shall be filed with this Court on the ECF system, with a courtesy copy delivered to Judge Lane, and served upon the objector(s) on or before December 8, 2015; and it is further

ORDERED, that notice of the Combined Hearing shall be sufficient if a copy of this Order, the Revised Disclosure Statement, and the Plan, together with a Ballot are sent by regular

mail on or before November 13, 2015 to the United States Trustee, all creditors of the Debtor, and all persons who filed requests for the notice with the Clerk of the Court, and all signatories to the Settlement Agreement previously approved by Order of this Court dated November 9, 2015 (ECF #156); and it is further

ORDERED, that each Ballot must be properly executed, completed, and delivered so as to be received on or before December 4, 2015 at 5:00 p.m. prevailing Eastern Time (the "Voting Deadline") by counsel for the Debtor at the following address: Goldberg Weprin Finkel Goldstein LLP, 1501 Broadway, 22nd Floor, New York, NY 10036, Attn: Kevin J. Nash, Esq., KNash@GWFGlaw.com; Facsimile: 212-221-6532; and it is further

ORDERED, that the deadline for the Debtor to file a ballot tabulation and certification of acceptance and rejection of the Plan, and file a Certification of the Voting with the Clerk of the Court (the "Voting Certification") is December 8, 2015.

Dated: New York, NY
November __, 2015

Hon. Sean H. Lane